



SR 801 (Proposed Loop 303 to Proposed Loop 202) Questions and Responses from May 17, 2007 Open House

Communication

Question (Q): Are developers being forewarned and will new homeowners in these areas be given notice of the freeway?

Answer (A): When developers have notified the study team of their plans or other development planning information has become available, the study team has worked with developers in the study area to make them aware of the proposed SR 801. At this time, the Arizona Department of Transportation is unable to restrict the areas in which developers are building. If a decision is made to construct this freeway, and the right-of-way is purchased by ADOT, then ADOT will not allow development in the right-of-way areas that have been purchased for this freeway.

The cities have been asked by ADOT to follow the Red Letter process: if a developer or property owner contacts the City's or County's Planning and Zoning department with a plan to build on or re-zone their property, they are asked to contact ADOT to get further information.

Development

Q: How will this affect the new King Ranch development being built on land south of Maricopa County Route 85 between Estrella Parkway and Cotton Lane?

A: King Ranch is located on the south side of the Gila River around Cotton Lane. State Route 801 is proposed to be located about 2,000 feet north of the Gila River so there would be no direct impacts. The King Ranch developers are aware of the proposed SR 801.

Disclosure of Freeway Information

Q: If we go to sell our home, do we have to notify any buyer of the questionable freeway coming through or near our home? Please answer as if we (1) know for sure we are in a buy out area, and (2) route not chosen yet (selling house within several months say).

A: While a homeowner may not be legally required to advise a potential buyer of a freeway proposal, it is suggested that you notify the buyer of the situation and refer them to contact the ADOT Right-of-Way Group at 602.712.7316 for more information. However, a real estate licensee must disclose this information to a potential buyer if he or she has knowledge. If the freeway's route has been formally determined, the seller must disclose this to the buyer before the transaction takes place. In any case, sellers should seek legal advice regarding this issue.

Q: If we have property along either route and we want to sell it. At what point must we disclose the coming SR 801?

A: While a homeowner may not be legally required to advise a potential buyer of a freeway proposal, it is suggested that you notify the buyer of the situation and refer them to contact the ADOT Right-of-Way Group at 602.712.7316 for more information. However, a real estate licensee must disclose this information to a potential buyer if he or she has knowledge. If the freeway's route has been formally determined, the seller must disclose this to the buyer before the transaction takes place. In any case, sellers should seek legal advice regarding this issue.

Funding

Q: Have you received funds from the slush fund to build this freeway?

A: At this time, no Statewide Transportation Acceleration Needs money has been allocated by the Arizona Legislature for this potential project.

Q: Taxpayers will fund the SR 801. How much more will it cost between the two alignments?

A: The exact cost difference is not yet known. However, preliminary estimates indicate that the southern alternative will cost about eight to ten percent more than the northern alternative. This amount could change, depending on the study team's continued analysis of the proposed project.

Local Government

Q: What is the best method of letting the City of Avondale and other governments know what our wishes are about the route of SR 801?

A: The best way to inform local elected officials representing your area is to use the following contact information:

City of Avondale

City Council
11465 West Civic Center Drive
Avondale, AZ 85323
Phone number: 623-478-3016
Web site address:
www.ci.avondale.az.us

City of Tolleson

City Council
9555 West Van Buren Street
Tolleson, AZ 85353
Phone number: 623-936-7111
Web site address:
www.tollesonaz.org

City of Goodyear

City Council
PO Box 5100
Goodyear, AZ 85338
Phone number: 623-932-3910
Web site address:
www.ci.goodyear.az.us

Maricopa County

Board of Supervisors
301 West Jefferson Street, 10th
Floor
Phoenix, AZ 85003
Phone number: 602-506-3415
Web site address:
www.maricopa.gov

City of Phoenix

City Council
200 West Washington Street, 11th
Floor
Phoenix, AZ 85003
Phone number: 602-262-7029
Web site address: www.phoenix.gov

Town of Buckeye

Town Council
100 North Apache Road
Buckeye, AZ 85326
Phone number: 623-349-6000
Web site address:
www.buckeyeaz.gov

Q: Where are our representatives that sat on the Maricopa Association of Governments Regional Council? Marie Lopez Rogers, Mary Rose Wilcox? If they spoke for us at the meetings they should be here for our questions and concerns.

A: ADOT, working in collaboration with the Federal Highway Administration and MAG, will make the decision whether this proposed freeway will be built and, if so, what route it will follow. Input from members of the community, local leaders, government officials, business owners, environmental advocates and others are all considered part of the decision making process. A wide range of factors are considered in the decisions ADOT faces for this, and any other, proposed new freeway.

Q: Why should the cities of Avondale and Phoenix have a say about which route is taken? Why should the cities of Avondale and Phoenix be able to let developers build on the northern route? They are more concerned about their cities growing, at the expense of existing communities on the southern route.

A: As part of the study process, a proposed freeway must consider how it fits with the local governments' general plans and planned land use. The study process also attempts to find solutions that local governments support.

Q: Does ADOT work with [Maricopa] County? If so, is there a restriction on building permits on the SR 801 route?

A: Yes, ADOT coordinates with Maricopa County. Maricopa County, along with all the cities in the study area, participate in what is called the Red Letter process: if a developer or property owner contacts the city's or county's planning and zoning department with a plan to build on or re-zone their property, they are asked to contact ADOT to get further information. When a planned development is proposed within the county (or city) and this development is within a quarter mile of a planned or existing ADOT freeway, ADOT is normally asked to comment on the proposal. If the proposal conflicts with ADOT's planned work, then ADOT may elect to act on this information. However, ADOT cannot restrict or hinder any developments unless ADOT is willing to compensate landowners accordingly.

Other Options

Q: Why not think of long-term solutions? Widen Interstate 10, light rail, more transit.

A: The Regional Transportation Plan is a multi-modal transportation plan. Highways, local streets, buses and light rail are integrated into this plan. Even with the planned transit enhancements, the upcoming widening of I-10 and the local street network enhancements (which are part of the Regional Transportation Plan), SR 801 is needed to handle the anticipated growth in the West Valley.

Q: Why don't you just widen Buckeye Road (Maricopa County RT 85) or acquire it for the freeway? It follows the same path.

A: Buckeye Road is only about 2 miles south of I-10. One of the main goals of SR 801 is to provide a second freeway designed to ease traffic congestion on I-10. To do this in an efficient manner, I-10 and the SR 801 need to be separated by at least 3 miles. This is why the north study boundary is located at Lower Buckeye Road. Anything north of Lower Buckeye Road would not meet the needs of the traveling public.

Proposed Freeway Alignment

Q: Wouldn't the southern alignment significantly impact wildlife in the river bottom?

A: At this stage in developing the environmental assessment, it has not been determined to what extent the southern alternative might impact wildlife in the Gila River. The study team is assessing each alternative to help determine if impacts would occur. Part of the analysis will include public input received during the May 17, 2007 open house, which will be addressed in the assessment.

Q: What happens to the bird sanctuary if the southern route is chosen?

A: At this stage in developing the environmental assessment, it has not been determined if the southern alternative would or would not impact birds that inhabit the area south of the proposed southern alternative. The study team is assessing each alternative to help determine if impacts would occur. Part of the analysis will include public input received during the May 17, 2007 open house, which will be addressed in the assessment.

Q: Is this final? Is there a chance that it will not be built?

A: The no-build alternative is one option that is being considered. The Draft Environmental Assessment will evaluate both the no-build and build alternatives.

Q: The southern route will cost more money, why would they spend the extra? Few houses on Broadway. But development proposal giving Avondale tax advantage. Is that reason enough to pay extra?

A: This study evaluates 33 different factors for the selection of a preferred solution. Construction and right-of-way costs are two of these factors. Impacts to both existing and planned homes represent two additional factors. While these four factors are clearly important, they need to be considered in the context of the other 29 criteria. It is not uncommon to select an option that is more expensive than another, but there would need to be a compelling reason to do so.

Q: Why take the northern route if it costs more?

A: This study evaluates 33 different factors for the selection of a preferred solution. Construction and right-of-way costs are two of these factors. Impacts to both existing and planned homes represent two additional factors. While these four factors are clearly important, they need to be considered in the context of the other 29 criteria. It is not uncommon to select an option that is more expensive than another, but there would need to be a compelling reason to do so.

Q: Why can't you move the north proposal from 91st, south under the 500 line to Litchfield and bring it back up? 91st to Litchfield is alfalfa fields, a condemned trailer park, and desert.

A: In the area you are referring, there is a historic farmstead that must be avoided in accordance with environmental laws by this proposed freeway. This option would impact that site.

Q: Why don't you take an informal vote here to see which plan the people prefer? A simple show of hands?

A: The intent of this meeting is to find out what people feel about the no build and the north and south alternatives. The study team wants to also know the reasoning behind the choice that each person is backing. Because of this, we are asking that people give us their feedback.

Right-of-Way Acquisition

Q: Will we be notified in writing (or what method will be used) if our land is acquired?

A: When ADOT receives approval from the Arizona Transportation Board to purchase certain parcels for a certain segment of freeway, each individual land owner (record owner) will receive a letter announcing ADOT's intentions for appraisal and acquisition.

Q: Can we refuse to give up our place?

A: According to the laws that govern eminent domain, ADOT has the power of condemnation if a person refuses to sell. After the need and necessity for the public good has been established, the laws will govern.

Q: Right-of-way - when and how do you choose where?

A: Should a build alternative be selected, ADOT will have identified all the specific parcels needed for the freeway construction by mid 2009.

Q: [2008-2015] Right-of-way versus 2023 acquisitions? Explain timing. Bottom line. How does this effect my property price-value and when (date) of property value?

A: Should a build alternative be selected, during the 2008-2015 timeframe ADOT will prepare right-of-way plans that show how much of each parcel will be required, total or partial. The first acquisitions would be the parcels with pending development plans and building permits. ADOT would then address the second priority parcels that do not have pending development plans, but are total acquisitions. The last parcels to be acquired would be those that are partial acquisitions.

The land will be valued as of the date of the appraisal or date of value. ADOT will hire an independent appraiser to determine a property's value. The appraiser will determine the value based on the day that he or she completes the appraisal. This is not to say that the appraised value versus the purchased value can never change, but the change must be justified. If the property owner disagrees with the independent appraiser's property value determination, the property owner may hire his or her own appraiser to assess the value. The appraisal must be done by an appraiser that is familiar with eminent domain procedures and appraisals.

Q: When you begin to acquire land for the proposed SR 801, at what end will you begin? East side or west?

A: Should a build alternative be selected, ADOT will evaluate individual properties along the entire corridor, rather than starting on either the western or eastern side.

Q: Isn't it true that the northern route will take more homes by the time right-of-way is taken based on your current acquisition schedule than the south?

A: At this time, the north alternative would impact more planned homes and fewer existing homes. The south alternative would impact more existing homes and fewer planned homes.

Q: What factors determine early acquisition versus later acquisition? Landowner's choice?

A: The landowner would not have the opportunity to decide when their property would be acquired. Rather, ADOT will set priorities based on the planning, the location of the parcels, and whether funding is available. As soon as there are viable right-of-way plans and funding is available to purchase properties, ADOT will begin scheduling appraisals and closing escrows. ADOT will then manage these properties until construction begins.

Q: What determines what land is acquired first?

A: Once there are viable right-of-way plans and funding is available to purchase properties, total parcel acquisitions would be the first priority. Businesses and residential parcels that are occupied and in need of relocation would most likely be the next priority, if they are total acquisitions. The last properties to be acquired would be those that are partial acquisitions.

Depending on the timing of the right-of-way plans and availability of funding, it is possible that all parcels could be purchased by 2015.

For the entire corridor, construction sequencing, as defined in the Design Concept Report's implementation plan, will determine which parcels will be needed first.

Q: If your home is not in the study shaded area, does this mean you are not being studied at this point?

A: Generally, this is correct. However, right-of-way agreements for noise mitigation may be necessary along property lines to enable ADOT to build noise walls where ADOT may not need to purchase any land for roadway construction.

Schedule

Q: When is the final route picked for SR 801- what date? When will notices be sent out notifying residents in the SR 801 buy out area that they will be losing their homes? If not actual dates (month or such), how about a guesstimate?

A: A recommended alternative will be selected by late summer 2007. ADOT will publicize this information.

As soon as ADOT has a date of public knowledge (acceptance by the Federal Highway Administration) and right-of-way plans, each parcel or group of parcels will be designated for a resolution indicating the

intent for acquisition, which will be reviewed by the State Transportation Board. When the Board has approved this resolution for acquisition, ADOT will notify each property owner of their intent to appraise and acquire their property. The Board resolution is public information and ADOT will mail letters to each affected land owner indicating the intention to appraise and acquire their property.

Miscellaneous

Q: Why is quality of life and open areas not important?

A: The study team is considering social conditions as part of the environmental assessment. Part of the analysis will include public input received, which will be addressed in the assessment.

Q: What happens if the Loop 202 (South Mountain Freeway) does not get built on its current desired alignment?

A: If the proposed South Mountain Freeway is not built, the proposed SR 801 plan is not automatically eliminated. However, SR 801 will have to be restudied to decide if, how and where it would connect on the eastern end. A logical terminus is required to build this freeway. In other words, SR 801 cannot just end and cause freeway traffic to be routed into surface streets. It would need to connect to a similar type roadway.

Q: What good does it do to build a freeway that connects with another that by ADOT's own model in many situations will not be effective at moving traffic during peak hours?

A: The study team is interpreting that this comment refers to the proposed SR 801 connecting to the proposed Loop 202.

Both the SR 801 and the Loop 202 are integral pieces of the voter approved comprehensive Regional Transportation Plan. The RTP includes both vehicular and transit elements. The vehicular system has two tiers: Freeways, which serve as the backbone, and surface streets, which deliver vehicles to and from their destinations. Both are equally important in delivering a functioning comprehensive regional transportation solution to this rapidly growing area. The Maricopa Association of Governments traffic models have validated this assertion.

In accordance with standard planning practices, ADOT has demonstrated that the Loop 202 would function in an acceptable

fashion during the 20-year time horizon typically used for the planning of all new freeway construction projects. Typically, as a freeway in a fast growing urban area nears the end of this 20-year time horizon, traffic slowdowns are anticipated to occur in certain sections of the freeway for certain times of the day, typically the peak commuting hours. This is fully expected and does not indicate a fatal flaw in the freeway planning. In fact, this is the standard freeway planning approach. It is uneconomical to build a freeway to operate in free-flow conditions for 25+ years. In 20 years, operational issues that do begin to appear are typically addressed with freeway modifications and/or alterations aimed at improving efficiency or expanding capacity. Also worth noting is that every vehicle that uses the freeway is one less vehicle using the surface street system. This is critical for keeping the local transportation infrastructure operating in an acceptable fashion.

Q: Doesn't ADOT think that building more freeways will continue the pattern of residential growth causing homeowners to have a longer commute to their jobs?

A: The Arizona Department of Transportation does not have control over the use of land. While new freeways are planned, the lack of existing transportation corridors has not appeared to slow growth in the West Valley. When making land-use decisions, ADOT would hope that municipal planning bodies take into consideration such quality of life issues like distance to employment centers, commuting time, mass transit opportunities and environmental impacts. The reality is that the Valley is one of the fastest growing metropolitan regions in the nation; the population of Maricopa County will double in 20 years, but the existing infrastructure for transportation is not able to appropriately handle the needs of the 3.5 million residents in the Valley today.

Q: Has Interstate 10 widening been funded? When will it begin?

A: The Interstate 10 widening project is one of several projects proposed to improve regional traffic flow in the West Valley following voter approval of the Regional Transportation Plan in 2004. Construction for the first phase of this project (Sarival Avenue to Loop 101) is estimated to begin in fall 2007 and would include:

- Adding one general purpose lane in each direction and one high-occupancy vehicle lane in each direction in the median of I-10

- Adding one general purpose lane and one auxiliary lane in each direction adjacent to the existing I-10 outside general purpose lanes

The funding for the construction of the first phase of the I-10 widening project was accelerated in April 2006, with the approval from the MAG Regional Council, which consists of all Valley mayors.

Another segment of I-10 will now be widened as part of the first phase, which is sooner than initially planned, due to the acceleration of funds in December 2006 by the Arizona Legislature. This construction (Verrado Way to Sarival Avenue) is estimated to begin in late 2008 and would include:

- Adding one general purpose lane in each direction in the median

Construction for the second phase of the I-10 Widening project (State Route 85 to Verrado Way) is estimated to begin in 2023 and would include:

- Adding one general purpose lane in each direction in the median of I-10

The area on I-10 located between Sarival Avenue and Citrus Road is currently under study as part of the proposed I-10/Loop 303 interchange.

Q: How will ADOT cope with increased truck traffic on Interstate 10 when Mexican trucks are allowed?

A: At this time, commercial trucks from Mexico are not allowed this far north on the U.S. highway system. This may change in the future. The Maricopa Association of Governments and the State Transportation Board has addressed the truck traffic issue on I-10 through Phoenix by adopting the CANAMEX Corridor around Phoenix, routing across I-8 to SR 85.